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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,476	03/26/2004	Hiromi Hoshino	SON-2972	8328
23353	7590	05/29/2008	EXAMINER	
RADER FISHMAN & GRAUER PLLC			SELBY, GEVILL, V	
LION BUILDING			ART UNIT	PAPER NUMBER
1233 20TH STREET N.W., SUITE 501				
WASHINGTON, DC 20036			2622	
			MAIL DATE	DELIVERY MODE
			05/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/809,476	Applicant(s) HOSHINO ET AL.
	Examiner Gevell Selby	Art Unit 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 17 January 2008.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 10-14 and 17-29 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 10-14 and 17-29 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/95/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application

6) Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/17/08 have been fully considered but they are not persuasive. The applicant submits the prior art does not disclose the following limitations of the claimed invention:

a recording/reproduction unit for recording and reproducing a video signal generated by an imaging apparatus as a video signal with every frame thereof including additional meta data related to said video signal onto and from a recording medium, as stated in claim 10;

wherein said imaging apparatus is connected to a meta-data synthesis apparatus of which at least a part of meta data related to said video signal is extracted from said video signal including said meta data added to every frame and synthesized with said video signal, and said imaging apparatus receives from said meta-data synthesis apparatus said video signal including said synthesized meta data and displays said video signal on said display unit, as stated in claim 13.; and

extracting at least a part of said meta data added to said video signal of every frame from said video signal and synthesizing said extracted part with said video signal, and displaying said video signal including said synthesized meta data on a display apparatus, as stated in claim 14. The examiner respectfully disagrees.

Examiner's Reply:

Re claim 10) In response to applicant's argument that the recording/reproduction unit is used for "recording and reproducing a video signal generated by an imaging apparatus as a video signal

with every frame thereof including additional meta data related to said video signal onto and from a recording medium", a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. The Hanamoto reference discloses a CPU (see figure 10, element 1104) that reads on the recording/reproduction unit that controls the recording of video images from the input device (1101) and controls the reproducing of the images on the display device (1103) wherein the each frame of the moving image data (see figure 12A, element 1301) is associated with meta data (see figure 12a, element 1302) related to the video signal (see para 136-137). The claim does not state that each frame includes separate meta data, so the common meta data included with the video data reads on the claim. The Hanamoto reference further discloses the meta data may be divided between segments of the video data that can be divided according to frame or time (see para 118).

Re claim 13) The Yanagita reference discloses an imaging apparatus wherein said imaging apparatus (see figure 10) is connected to a CPU (see figure 10, element 41) which reads on meta-data synthesis apparatus of which at least a part of meta data related to said video signal is extracted from said video signal including said meta data added to every frame and synthesized with said video signal (see column 10, lines 14-63: meta data is extracted from the video tape and stored in the RAM and the meta data includes time code data and the frame number which is associated with each frame), and said imaging apparatus receives from said meta-data synthesis apparatus said video signal including said synthesized meta data (see column 10, lines 5-7: meta

data is sent to the monitor) and displays said video signal on said display unit (see column 10, lines 7-10: the video images and metadata are displayed on the monitor 44)

Re claim 14) The Hanamoto reference discloses the recording and reproduction unit as described above in regard to claim 10 with has the method of operation of extracting at least a part of said meta data added to said video signal of every frame from said video signal and synthesizing said extracted part with said video signal (see para 131-133: the metadata matching the keyword search is extracted with the corresponding moving image data), and displaying said video signal including said synthesized meta data on a display apparatus (see para 136-136: the moving image data is displayed and the metadata can be always displayed along with the image data).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 10-12, 14, 17-20, 23-27, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanamoto, US 2002/0019833.**

In regard to claim 10, Hanamoto, US 2002/0019833, discloses a video-signal recording/reproduction apparatus comprising:

a recording/reproduction unit (see figure 10, element 1104) for recording and reproducing a video signal generated by an imaging apparatus as a video signal with every frame thereof including additional meta data related to said video signal, onto and from a recording medium (see para 106-107, and 118: the CPU writes image data along with meta data into the storage device to hold for editing and reads the data out for editing and display; the meta data may be divided between segments of the video data that can be divided according to frame or time); and

a meta-data synthesis apparatus (see figure 10, elements 1104 and 1103) for extracting at least a part of said meta data from said video signal including said meta data added to every frame and synthesizing said extracted part with said video signal (see para 107 and 136-137: the CPU can always display meta data with the moving images) on the display.

In regard to claim 11, Hanamoto, US 2002/0019833, discloses the video-signal recording/reproduction apparatus according to claim 10, wherein said meta data added to said video signal is packed into one or more meta-data groups provided for different purposes of utilizing said meta data (see para 117: different groups of “location”, “date”, “object”, “keyword”, and the like).

In regard to claim 12, Hanamoto, US 2002/0019833, discloses the video-signal recording/reproduction apparatus according to claim 10, wherein said meta-data synthesis apparatus extracts at least a part of said meta data from said video signal reproduced by

said recording/reproduction unit from said recording medium and synthesizes said extracted part with said reproduced video signal (see para 136).

In regard to claim 14, Hanamoto, US 2002/0019833, discloses a meta-data display method for displaying meta data related to a video signal generated by an imaging apparatus, said meta-data display method comprising the steps of:

extracting at least a part of said meta data added to said video signal of every frame from said video signal and synthesizing said extracted part with said video signal (see para 131-133: the metadata matching the keyword search is extracted with the corresponding moving image data); and

displaying said video signal including said synthesized meta data on a display apparatus (see para 136-136: the moving image data is displayed and the metadata can be always displayed along with the image data);

wherein: said display apparatus (see figure 10, element 1103) is provided in said imaging apparatus; and said meta data added to said video signal includes scene-information meta data, which is meta data related to a scene shot by said imaging apparatus (see para 117, meta data such as “location” is scene-information).

In regard to claim 17, since Hanamoto, US 2002/0019833, discloses the meta data display apparatus as described in regard to claim 4 above, the method of operation also disclosed.

In regard to claim 18, since Hanamoto, US 2002/0019833, discloses the meta data display apparatus as described in regard to claim 5 above, the method of operation also disclosed.

In regard to claim 19, Hanamoto, US 2002/0019833, discloses a meta-data display system for displaying meta-data related to a video signal, comprising:

an imaging apparatus (digital video camera, data input/output device 1100, display device 1103, and CPU 1104 in combination) that captures video content (see para 109) and generates the video signal and meta-data associated with each frame of the video signal (see para 136-137: CPU (see figure 10, element 1104) that reads on the imaging apparatus that controls the recording of video images from the input device (1101) and controls the reproducing of the images on the display device (1103) wherein the each frame of the moving image data (see figure 12A, element 1301) is associated with meta data (see figure 12a, element 1302) related to the video signal);

a meta-data addition apparatus (see figure 10, element 1104: CPU) that that receives the meta-data and the video signal and combines the meta-data associated with each frame of the video signal and the video signal, and outputs a combined video signal (see para 135-137: the moving image data is combining with the template and displayed then the meta data is displayed along with the moving image data in the template on the display or the meta data is always displayed combined with the moving data on the template);

a storage device (see figure 10, element 1105 and 1106) for storing the combined video signal (see para 106);

a meta-data synthesis apparatus (see figure 10, element 1104: CPU) that that synthesizes the combined video signal to produce a synthesized video signal, the synthesized video signal including the video signal where each frame is visually combined with at least a portion of the meta-data associated with that frame (see para 135-137: the moving image data is combining with the template and displayed then the meta data is displayed along with the moving image data in the template on the display or the meta data is always displayed combined with the moving data on the template);

a display (see figure 10, element 1103) for displaying the synthesized video signal (see para 107).

In regard to claim 20, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 19, wherein the display apparatus is a component of the imaging apparatus (see figure 10, element 1103).

In regard to claim 23, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 19, wherein the meta data added to the video signal is packed into one or more meta-data groups provided for different purposes of utilizing the meta-data (see para 117: the metadata is grouped into groups of "location", "date", "object", and "keyword").

In regard to claim 24, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 19, the meta-data display system include a video-signal recording

reproduction apparatus (see figure 10, element 1104) for recording and reproducing the combined video signal onto and from a recording medium (see figure 10, element 1106), wherein at least a part of the meta-data is extracted from the video signal reproduced by the video-signal recording/reproduction apparatus and synthesized with the video signal (see para 106-107, and 118: the CPU writes image data along with meta data into the storage device to hold for editing and reads the data out for editing and display; the meta data may be divided between segments of the video data that can be divided according to frame or time.

In regard to claim 25, Hanamoto, US 2002/0019833, discloses a meta-data display system, comprising:

a meta-data synthesis apparatus (see figure 10, element 1104) for extracting at least a part of the meta-data associated with every frame of a video signal and synthesizing the extracted meta-data with the video signal to produce a synthesized video signal (see para 136-137: CPU (see figure 10, element 1104) that reads on the a meta-data synthesis apparatus that controls the recording of video images from the input device (1101) and controls the reproducing of the images on the display device (1103) wherein the each frame of the moving image data (see figure 12A, element 1301) is associated with meta data (see figure 12a, element 1302 related to the video signal); and

an imaging apparatus (digital video camera, data input/output device 1100, and CPU 1104 in combination) for generating the video signal and the meta-data for every frame of the video signal (see para 136-137);

wherein in the synthesized video, each video frame is visually combined with meta-data associated with that video frame (see para 135-137: the moving image data is combining with the template and displayed then the meta data is displayed along with the moving image data in the template on the display or the meta data is always displayed combined with the moving data on the template).

In regard to claim 26, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 25, wherein the synthesized video signal is transmitted to the imaging apparatus (see figure 10, element 1103: the video signal is transmitted to the display to view the images).

In regard to claim 27, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 25, wherein the meta-data added to the video signal includes scene-information meta-data, which is meta-data related to a scene shot by the imaging apparatus (see para 117: the metadata includes scene information of the location of the shoot)

In regard to claim 29, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 25, wherein the meta-data added to the video signal is packed into one or more meta-data groups for different purposes of utilizing the meta data (see para 117: the metadata is grouped into groups of “location”, “date”, “object”, and “keyword”).

4. Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Yanagita et al, US 6,954,319.

In regard to claim 13, Yanagita et al, US 6,954,319, discloses an imaging apparatus comprising:

an imaging unit (see figure 10, element 40 and 41) for taking an image of an object and generating a video signal representing said image (see column 9, lines 38-62); and

a display unit (see figure 10, element 44) for displaying said video signal, wherein said imaging apparatus is connected to a meta-data synthesis apparatus (see figure 10, element 41, CPU) of which at least a part of meta data related to said video signal is extracted from said video signal including said meta data added to every frame and synthesized with said video signal (see column 10, lines 14-63: metadata is extracted from the video tape and stored in the RAM), and

said imaging apparatus receives from said meta-data synthesis apparatus said video signal including said synthesized meta data and displays said video signal on said display unit (see column 10, lines 1-10: the monitor 44 displays the meta data stored in the RAM).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 21-22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanamoto, US 2002/0019833, in view of Tojo et al., WO 02/098130.

In regard to claim 21, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 19, wherein imaging apparatus includes:

a positioning system that produces position meta-data (it is implied there is a positioning system that produces position meta-data, since "location" is part of the metadata (see para 117));

an input terminal (see figure 10, element 1101) for inputting scene-information meta-data (see para 117);

wherein, the meta-data addition apparatus adds the lens setting meta-data, the position meta- data, and the scene-information meta-data to the video signal, to produce the combined video signal (see para 135-137: the moving image data is combining with the template and displayed then the meta data is displayed along with the moving image data in the template on the display or the meta data is always displayed combined with the moving data on the template).

The Hanamoto reference does not specifically disclose a lens system that produces lens setting meta-data; wherein, the meta-data addition apparatus adds the lens setting meta-data, to the video signal, to produce the combined video signal.

Tojo et al., WO 02/098130, discloses an imaging apparatus that has a lens system (see pages 6 and 7 and figure 1, elements 11,19, 20, and 21) that produces lens setting meta-data (see pages 9 and 10: information obtained from the sensors such as the lens position detection section); wherein, the meta-data addition apparatus adds the lens

setting meta-data, to the video signal, to produce the combined video signal (see pages 12 and 13 and figure 4: the metadata is stored with in the image data).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Hanamoto, US 2002/0019833, in view of Tojo et al., WO 02/098130, to have a lens system that produces lens setting meta-data; wherein, the meta-data addition apparatus adds the lens setting meta-data, to the video signal, to produce the combined video signal, in order to display lens information along with the moving image to better inform the user and allow them to easily view the information.

In regard to claim 22, Hanamoto, US 2002/0019833, in view of Tojo et al., WO 02/098130, discloses the meta-data display system of claim 21. The Hanamoto reference discloses wherein the meta-data received by the meta-data addition apparatus is organized into one or more meta-data groups provided for each of the lens setting meta-data, the position meta-data, and the scene-information meta-data (see para 117: the metadata is grouped into groups of "location", "date", "object", and "keyword").

In regard to claim 28, Hanamoto, US 2002/0019833, discloses the meta-data display system of claim 27, wherein imaging apparatus includes:

a positioning system that produces position meta-data (it is implied there is a positioning system that produces position meta-data, since "location" is part of the metadata (see para 117));

an input terminal (see figure 10, element 1101) for inputting scene-information meta-data (see para 117);

wherin, the meta-data addition apparatus adds the lens setting meta-data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal (see para 135-137: the moving image data is combining with the template and displayed then the meta data is displayed along with the moving image data in the template on the display or the meta data is always displayed combined with the moving data on the template).

The Hanamoto reference does not specifically disclose a lens system that produces lens setting meta-data; wherein, the meta-data addition apparatus adds the lens setting meta-data, to the video signal, to produce the combined video signal.

Tojo et al., WO 02/098130, discloses an imaging apparatus that has a lens system (see pages 6 and 7 and figure 1, elements 11,19, 20, and 21) that produces lens setting meta-data (see pages 9 and 10: information obtained from the sensors such as the lens position detection section); wherein, the meta-data addition apparatus adds the lens setting meta-data, to the video signal, to produce the combined video signal (see pages 12 and 13 and figure 4: the metadata is stored with in the image data).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Hanamoto, US 2002/0019833, in view of Tojo et al., WO 02/098130, to have a lens system that produces lens setting meta-data; wherein, the meta-data addition apparatus adds the lens setting meta-data, to the video signal, to produce the combined video signal, in order to display lens information along with the moving image to better inform the user and allow them to easily view the information.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622